

Remark

Applicant respectfully requests reconsideration of this application as amended. Claims 1 and 12 have been amended. No Claims have been cancelled. Therefore, claims 1-21 are present for examination.

Claim Objections

Claim 1 objected to because in line 3 there is no semicolon at the end of the word "source". This is corrected above.

35 U.S.C. §101 Rejection

The Examiner has rejected claim 12 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants have amended the claim to refer to an apparatus comprising a tangible machine-readable medium having stored thereon... Applicants state for the record that a carrier wave does not store, is not tangible, and is not an apparatus. If this amendment is not considered to be satisfactory to the Examiner, then Applicants request that the Examiner contact the undersigned to discuss possible alternatives.

Double Patenting

Claims 1-21 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-24 of U.S. Patent No. 6,985,591 in view of Hart, III, et al., US 2001/0037465 ("Hart"). A terminal disclaimer is enclosed herewith.

35 U.S.C. §103 Rejection

Son in view of Wright

The Examiner has rejected claims 1-5 and 7-21 under 35 U.S.C. §103 (a) as being unpatentable over Son et al., USPG PUBs 2001/0017920 ("Sons"), in view of Wright et al., WO 99/12310 ("Wright"). As described in Son, paragraph 0029, the remote server first decrypts the video program using the a. After the video program is decrypted, the remote server re-encrypts the video program using a second key. Paragraph 0035 is similar. There is no suggestion of simultaneously decrypting and re-encrypting the encrypted video using a combination of the first and the second cipher streams

The Examiner has cited Wright and refers to a first section about encryption and a second section about decryption. These sections are not connected to each other in any way. As with Son, there is again no suggestion of simultaneously decrypting and re-encrypting the encrypted video using a combination of the first and the second cipher streams.

Absent a showing of simultaneously decrypting and re-encrypting the encrypted video using a combination of the first and the second cipher streams in either reference, the prima facie case of obviousness has not been made. Applicants request that the rejection be withdrawn.

35 U.S.C. §103 Rejection

Son, Wright and Hart

The Examiner has rejected claim 6 under 35 U.S.C. §103 (a) as being unpatentable over Son et al., USPG PUBs 2001/0017920 (“Sons”), Wright et al., WO 99/12310 (“Wright”), in further view of Hart III et al., US 2001/0037465 (“Hart”). Hart is not cited for and does not show simultaneously decrypting and re-encrypting the encrypted video using a combination of the first and the second cipher streams. Accordingly, these claims are also allowable.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time


Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Gordon R. Lindeen III
Reg. No. 33,192

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1030
(303) 740-1980